

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:  
THE TURKEY LEG HUT & COMPANY  
LLC

§  
§  
§

Case No. 24-31275-H3-11  
(Chapter 11)

**AMENDED MOTION FOR RELIEF FROM THE STAY REGARDING NON-EXEMPT PROPERTY**

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN OCTOBER 28, 2024, AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON NOVEMBER 4, 2024, AT 1:30 P. M. IN COURTROOM 8B (8<sup>TH</sup> FLOOR) LOCATED AT 515 RUSK AVEUNUE, HOUSTON, TEXAS 77002.

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: **CNPH PROPERTIES, LLC** (hereinafter “Landlord” and/or “Lessor for the Leased Premises where the Property is located).
3. Movant, directly or as agent for the holder, holds a security interest in the collateral that is within the Leased Premises located at 4830 Almeda Road, Houston, Texas, Harris County, Texas 77004, including without limitation all furniture and equipment typically used in a restaurant business such as coolers, tables, chairs, cooking utensils, flat ware, glass ware, dinner ware, serving utensils, pots, pans, and the usual kitchen and restaurant equipment (hereinafter “Property”).
4. Movant has reviewed the schedules filed in this case. The property described in paragraph 3 is not claimed as exempt by the debtor.
5. Type of collateral: All personal business property, including all furniture and equipment typically used in a restaurant business such as coolers, tables, chairs, cooking utensils, flat ware, glass ware, dinner ware, serving utensils, pots, pans, and the usual kitchen and restaurant equipment within the Leased Premises located at 4830 Almeda Road, Houston, Texas, Harris County, Texas 77004 within the Leased Premises located at 4830 Almeda Road, Houston, Texas, Harris County, Texas 77004.
6. Debtor’s scheduled value of property: \$310,758.75.
7. Movant’s estimated value of property: \$300,000.00.
8. Total amount owed to movant: \$109,790.00.
9. Estimated equity (paragraph 7 minus paragraph 8): \$190,210.00.
10. Total pre and post-petition arrearages: \$56,120.00.
11. Total post-petition arrearages: \$44,450.00.
12. Amount of unpaid, past due property taxes, if applicable: NOT KNOWN.
13. Expiration date on insurance policy, if applicable: NOT KNOWN.

14. X. Movant seeks relief based on the debtor(s)' failure to make payments. Debtor(s)' payment history is attached as exhibit "A." Movant represents that the attached payment history is a current payment history reflecting all payments, advances, charges and credits from the beginning of the loan. Movant further represents that the payment history is self-explanatory or can be interpreted by application of coding information that is also attached. Movant acknowledges that the Court may prohibit the use of parol evidence to interpret a payment history that does not satisfy these representations.

15. X. Movant seeks relief based on the debtor(s)' failure to provide a certificate of insurance reflecting insurance coverage as required under the debtor's pre-petition contracts.

16. If applicable: Name of Co-Debtor: NAKIA PRICE and STEVEN ROGERS.

17. Based on the foregoing, movant seeks termination of the automatic stay and the co-debtor stay, if applicable to allow movant to foreclose or repossess the debtor(s)' property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.

18. Movant certifies that prior to filing this motion an attempt was made to confer with the Debtor(s)' counsel (or with Debtor(s), if *pro se*) either by telephone, by e-mail or by facsimile, by the following person on the following date and time: On Friday, August 9, 2024, at 10:57 A.M., I'd emailed to Debtor's attorney and the Subchapter V. On Monday, August 12, 2024, at 11:48 A.M., I called Debtor's attorney but was not able to reach an agreement. At 230 P.M. on September 10, 2024, I emailed Subchapter V Trustee, Brendon D. Singh. An agreement could not be reached. If requested by debtor or debtor's counsel, a payment history in the form attached to this motion was provided at least two days, excluding intermediate weekends and holidays, before this motion was filed.

Date: October 11, 2024

/S/ Kevin H. Pham

Kevin H. Pham  
State Bar No.: 00791438  
S.D. Tex. Bar No.: \_\_\_\_\_  
Address: 10260 Westheimer Road, Suite 207  
Houston, Texas 77042  
Telephone: 713-789-8010  
Fax: 713-789-7750  
E-mail: [KPham@PhamNguyenLaw.com](mailto:KPham@PhamNguyenLaw.com)

**Certificate of Service and Certificate of Compliance with BLR 4001**

A copy of this motion was served on the persons shown on exhibit "1" at the addresses reflected on that exhibit on October 11, 2024, by prepaid United States first class mail. Movant certifies that Movant has complied with Bankruptcy Local Rule 4001.

/S/ Kevin H. Pham

Movant's Counsel

**Cause No.: 24-31275-H3-11**

**Debtor: THE TURKEY LEG HUT & COMPANY, LLC**

**Date of Bankruptcy Filing** 3/26/2024

**CLAIMANT/CREDITOR: CNPH PROPERTIES, LLC ("Landlord")**

**Basis for Claim:** Commercial Lease Agreement at 4830 Almeda Rd., Houston, TX 77004

# EXHIBIT A

CASE NO 24-31275  
SERVICE LIST

ACAR LEASING LTD  
PO BOX 183853  
ARLINGTON TX 76096 3853

ALLY BAN  
4515 N SANTA FE AVE DEPT APS  
OKLAHOMA CITY OK 73118 7901

CNPH PROPERTIES LLC  
10260 WESTHEIMER RD STE 207  
HOUSTON TX 77042 3109

HARRIS COUNTY  
LINEBARGER GOGGAN BLAIR  
C/O JEANNIE LEE ANDERSON  
PO BOX 3064  
HOUSTON TX 77253 3064

THE TURKEY LEG HUT & COMPANY  
4830 ALMEDA RD  
HOUSTON TX 77004-5674

US FOODS INC  
9399 W HIGGINS RD STE 100  
ROSEMONT IL 60018 4910

US BANKRUPTCY COURT  
PO BOX 61010  
HOUSTON TX 77208 1010

ACAR LEASING LTD  
C/O WILCOX LAW PLLC  
PO BOX 201849  
ARLINGTON TX 76006 1849

AMERICAN EXPRESS  
PO BOX 650448  
DALLAS TX 75265 0448

AMERICAN EXPRESS NATIONAL  
C/O BECKET AND LEE LLP  
PO BOX 3001  
MALVERN PA 19355 0701

CINTAS-RESTAURANT SUPPLIES  
5355 W SAM HOUSTON PKWY N  
STE 300  
HOUSTON TX 77041 5235

CNPH PROPERTIES LLC  
PO BOX 720958  
HOUSTON TX 77272 0958

CARLOS JIMENEZ  
POUPORE LAW FIRM  
3233 W DALLAS ST 313  
HOUSTON TX 77019 3885

CELLCO PARTNERSHIP  
WILLIAM M VERMETTE  
22001 LOUDOUN COUNTY PKWY  
ASHURN VA 20147 6122

CINTAS CORPORATION  
6800 CINTAS BLVD  
MASON OH 45040 9151

CITY OF HOUSTON WATER  
611 WALKER ST  
HOUSTON TX 77002 4903

EBF HOLDINGS LLC  
102 W 38<sup>TH</sup> ST  
NEW YORK NY 10018 3613

IRS  
CENTRALIZED INSOLVENCY OPER  
PO BOX 7346  
PHILADELPHIA PA 19101 7346

J4 PRODUCTIONS  
9858 GOLDEN PRAIRIE LN  
HOUSTON TX 77086 3427

JASMINE ST JULIEN  
14805 GRISBY RD APT 301  
HOUSTON TX 77079 2367

LYNDELL LEROY PRICE  
1825 ROSEDALE ST  
HOUSTON TX 77004 5630

MAGNAFLOW OIL REFUESE  
3937 OCEAN RANCH BLVD  
OCEANSIDE CA 92056

NAKIA PRICE  
17523 SUGAR PINE DR  
HOUSTON TX 77090 2053

NAKIA PRICE  
4830 ALMEDA RD  
HOUSTON TX 77004 5674

NAVY FEDERAL CREDIT UNION  
PO BOX 3000  
MERRIFIELD VA 22119 3000

PEPSI BEVERAGES  
9300 LA PORTE FWY  
HOUSTON TX 77017 1930

PEPSICO SALES INC  
C/O JOSEPH D FRANK  
1327 W WASHINGTON BLVD  
STE 5 G-H  
CHICAGO IL 60607 1912

SOS CAPITAL  
1330 6<sup>TH</sup> AVE  
NEW YORK NY 10019 5472

SMALL BUSINESS ADMINISTRATION  
409 3<sup>RD</sup> ST SW  
WASHINGTON DC 20416 0002

**EXHIBIT 1**

SMALL BUSINESS FINANCIAL SOLU  
559 W UWCHLAN AVE 220  
EXTON PA 19341 3013

STEVEN A ROGERS  
1703 SILVER ST  
HOUSTON TX 77007 3912

STEVEN ROGERS  
C/O ROBERTS MARKLAND LLP  
2555 N MACGREGOR WAY  
HOUSTON TX 77004 7604

TLH CONCESSIONS LLC  
1825 ROSEDALE ST  
HOUSTON TX 77004 5630

TOAST  
333 SUMMER ST  
BOSTON MA 02210 1702

US FOODS INC  
C/O BRIAN L SHAW  
123 N WACKER DR 1800  
CHICAGO IL 60606 1770

US TRUSTEE  
OFFICE OF THE US TRSTEE  
515 RUSK AVE STE 3516  
HOUSTON TX 77002 2604

VANGUARD LOAN  
PO BOX 982903  
EL PASO TX 79998 2903

WASTE CONNECTION OF TX  
THREE WATERWAY SQUARE PL 110  
THE WOODLANDS TX 77380 3488

BRENDON D SINGH  
TRAN SINGH LLP  
2502 LA BRANCH ST  
HOUSTON TX 77004 1028

WEBBANK  
215 S STATE ST 1000  
SALT LAKE CITY UT 84111 2336

ZEEE TRADING INC  
207 CEDAR LAKE DR  
LEAGUE CITY TX 77573 0812

CARLOS JIMENEZ  
12915 GREENS MANOR LN  
HOUSTON TX 77044 7279

JAMES Q POPE  
THE POPE LAW FIRM  
6161 SAVOY DR STE 1125  
HOUSTON TX 77036 3343